

intimated that the right of reply was limited to the railway companies' case.

*Provisional Order — Tramway — Local Government — Bus Traffic — Provisions for Protection of Local Authorities — Model Clause.*

The Commissioners found the preamble proved and at the adjustment of clauses a clause with regard to the bus traffic, for the protection of the local authorities, based on a suggested model clause issued by the Ministry of Transport, was included.

Counsel for the Lanarkshire Tramways Company (*Promoting*)—Macmillan, K.C.—Scanlan. Agents—W. & J. C. Pollock, Solicitors, Hamilton—Sherwood & Company, London.

Counsel for the County Council of Lanark (*Objecting*)—Hon. W. Watson, K.C.—James Keith. Agent—Sir Thomas Munro, County Clerk, Hamilton.

Counsel for the Burghs of Airdrie, Coatbridge, Motherwell, Hamilton, and Wishaw (*Objecting*)—Hon. W. Watson, K.C.—James Keith. Agents—Thomas Thomson, Town Clerk, Airdrie—John Alston, Town Clerk, Coatbridge—James Burns, Town Clerk, Motherwell—P. M. Kirkpatrick, Town Clerk, Hamilton—A. G. Stewart, Town Clerk, Wishaw.

Counsel for the Caledonian Railway Company and the North British Railway Company (*Objecting*)—Hon. W. Watson, K.C.—Graham Robertson. Agents—D. L. Forgan, Solicitor, Caledonian Railway Company—James Watson, S.S.C., North British Railway Company.

Counsel for Glasgow Corporation (*Objecting*)—Macphail, K.C.—Russell. Agent—Sir John Lindsay, Town-Clerk, Glasgow.

Counsel for the Airdrie & Coatbridge Tramways Company (*Objecting*)—Gentles. Agent—J. Turner Macfarlane, Solicitor, Glasgow.

Counsel for the Scottish General Transport Company, Limited (*Objecting*)—Gentles. Agent—J. Turner Macfarlane, Solicitor, Glasgow.

23rd, 24th, and 26th July 1920.

PAISLEY CORPORATION (CART NAVIGATION).

(Before Major G. M'icking, M.P. (*Chairman*), the Marquis of Linlithgow, Lord Elphinstone, and Major Wm. Murray, M.P.—at Glasgow.)

*Provisional Order — Burgh — Harbour — Statutory Undertaking now Derelict — Cancellation of Debt.*

The Corporation of Paisley promoted this Order to acquire on terms the undertaking of the Cart Navigation Trustees. That undertaking, begun in 1787, had had a consistently unfortunate history, culminating in the appointment at the instigation of its creditors of a judicial factor in February 1904, his failing to make revenue meet expenditure or to effect a sale, and his obtaining from the Court of Session his dis-

charge in 1915, since when the undertaking had been derelict. Besides the harbour of Paisley with any works there, and the navigable cut course of the Cart from there to the Clyde, the undertaking included an important swing bridge at Inchinnan carrying the main road from Glasgow to Greenock. This bridge restricted the span of the waterway to 48 feet, the depth nominally being 17 feet, and it was in a bad state of repair, threatening to give way. The undertaking had originated with Paisley, and that city had always been closely connected with it through all the various changes in the constitution of the governing body of the undertaking. At the present time, however, the only portion which interested the Corporation was the Inchinnan swing bridge. There were three shipbuilding firms in Paisley, and the narrowness of the waterspan at the bridge restricted their industry; the collapse of the bridge into the waterway would make it impossible. The shipbuilders were therefore interested, as were also the County Council of Renfrewshire, on one of whose main roads the bridge was, the burgh of Renfrew within which it was, and the Ministry of Transport. Agreement had come to between these interested parties that there should be erected a new swing bridge with a waterspan of 90 feet, a roadway 30 feet wide as against 14, and a carrying capacity of 30 tons as against 3. The estimated cost of this was £54,000, which was to be contributed, by Paisley £23,500, by the shipbuilders £14,000, by the County Council of Renfrewshire £7750, by the burgh of Renfrew £1000, and by the Ministry of Transport £7750. The agreement was scheduled to the Order, and the carrying of it out was, as explained by the promoters, its true object. Paisley, however, was willing to take over the whole undertaking of the Navigation Trustees, but that only on the cancellation of all its debts, paying about £4000 for moveable assets, &c., and it made this proposal to get over any difficulty in carrying out the agreement.

The Order was opposed by the Edinburgh District Branch of the Ancient Order of Foresters' Friendly Society and others, who were creditors of the Navigation Trust, on the ground that Paisley was proposing to acquire a valuable undertaking without paying for it, at their expense, and by their practical elimination.

During the course of the inquiry it was twice intimated by the Commissioners that their view was that the parties should come to some agreement. This, however, was not effected, counsel for the objectors being unauthorised to accept the sum offered for the undertaking, and unable to accept a clause preserving to the creditors a right to any surplus revenue after the expenses of running the undertaking with any sinking fund had been deducted, inasmuch as such surplus would or might be required to be devoted to the reduction of the dues. It was intimated, however, that in this state of matters the promoters proposed to restrict the Order to the erection of the new Inchinnan swing bridge, and if this were done objection would be withdrawn.

The Commissioners found the preamble of the Order (so amended) proved.

Clauses were adjusted.

Counsel for the Corporation of Paisley (*Promoting*)—Macmillan, K.C.—King. Agents—James F. Johnstone, Town Clerk, Paisley—Grahames & Company, Westminster.

Counsel for Shipbuilders (*Watching*)—MacRobert, K.C.—J. C. Watson. Agents—MacRobert, Son, & Hutchison, Solicitors, Paisley.

Counsel for the Edinburgh District Branch of the Ancient Order of Foresters' Friendly Society and Others (*Objecting*)—Guild. Agent—Charles Waldie, S.S.C., Edinburgh.

Agent for the Royal Burgh of Renfrew (*Watching*)—Andrew R. Harper, Town Clerk, Renfrew.

Agent for the Renfrewshire County Council (*Watching*)—J. Caldwell Fraser, County Clerk, Paisley.

24th and 26th July, 1920.

#### GLASGOW TRADES HOUSE.

(Before Major G. M'Micking, M.P. (*Chairman*), the Marquess of Linlithgow, Lord Elphinstone, and Major Wm. Murray, M.P.—at Glasgow.)

This Order was promoted by the Trades House of Glasgow, a corporate body originating in 1605 by Letter of Guildry, and ratified and confirmed subsequently by Acts of Parliament. Two of the fourteen trade guilds which constituted the House, the Incorporation of Tailors and the Incorporation of Maltmen, were opposing the Order, and the money required for the promotion had been subscribed by the twelve other incorporations.

The four senior incorporations—the hammermen, the tailors, the cordiners, and the maltmen—had each six representatives in the House, the weavers had four, the bakers, skimmers, wrights, coopers, fleshers, masons,

gardeners, and barbers three each, and the dyers two. The Order proposed, while leaving the representation of the four senior as at present, to make the representation of each of the ten junior incorporations four, thereby increasing the total number of representatives from 54 to 64. The House was possessed of large funds which it had to administer, and the income from which it used in giving pensions, bursaries, subscriptions, and donations. Its deacon convenor was *ex officio* a member of Glasgow Town Council and a director of many benevolent institutions. The House also had the right to nominate representatives to sit on the boards of direction of various public bodies, such as the Clyde Navigation Trust, &c.

The opposition was based on the grounds that the constitution of such an ancient institution as the Trades House of Glasgow should not be altered save for some very clearly established and practical reason; that there was no substantive cause even put forward for the change proposed, which again was going to base the constitution of the House on no logical principle; that the present representation could be defended as a recognition of the greater efforts of the senior incorporations in early days; that the change would give—and that might be exercised to the detriment of the senior incorporations—additional power to the junior incorporations in dealing with pensions.

The Commissioners found the preamble proved.

Clauses were adjusted.

Counsel for the Trades House of Glasgow (*Promoting*)—Hon. W. Watson, K.C.—Graham Robertson. Agents—Biggart, Lumsden, & Company, Writers, Glasgow—Beveridge & Company, Westminster.

Counsel for the Incorporation of Tailors in Glasgow and the Incorporation of Maltmen in Glasgow (*Objecting*)—Macmillan, K.C.—D. P. Fleming. Agents—Taylor, Nelson, Walker, & Company, Writers, Glasgow.